

**RAPHO TOWNSHIP  
PLANNING COMMISSION MINUTES  
JANUARY 11, 2016 7:00 p.m.**

The meeting was called to order by Temporary Chairman Jay Gainer at 7:00 p.m. In attendance were Carrol Ehrhart, Darwin Nissley, Howard Boyd, Dennis Shellenberger, Jay Gainer, Jim Caldwell, RETTEW, and Sara Gibson.

Mr. Gainer requested nominations for the positions of Chair, Vice-Chair, and Secretary of the Commission. Mr. Boyd made a motion, seconded by Mr. Shellenberger, to continue with the same officers in 2016. Mr. Gainer would continue to serve as Chair, Ms. Ehrhart would serve as Vice-Chair, and Mr. Nissley would serve as Secretary. All voted in favor of the motion.

The minutes of the December 7, 2015 meeting were approved on a motion by Mr. Nissley, seconded by Mr. Shellenberger. All in favor.

**BRIEFING ITEM:**

**Mastersonville Volunteer Fire Company Final Land Development Plan #15-307**

**2166 Meadow View Road**

**Harbor Engineering, consultant**

Mr. Caldwell presented the plan. The property is located in the Agricultural Zone on Meadow View Road across from the current Mastersonville fire house and the former elementary school. The property comprises 10 acres. The Fire Company received Zoning Hearing Board approval to create a 10-acre lot for institutional use on July 1, 2008. At the time of the subdivision, there was some basic stormwater planning done, to allow for easements that pass through the property.

The applicants propose to construct an approximately 13,000 square foot 6-bay fire house, along with associated drives and parking areas. Mr. Caldwell explained there were several parking areas, one for emergency responders, and one for other visitors. The applicants are proposing total infiltration. Stormwater is proposed to be managed using two infiltration basins and a 10,000 gallon underground cistern. Some of the infiltration is intended to be collected in basins including new fill, which has raised some concerns on the first review, given that there may be some marginal soils. Mr. Boyd thought they might have some success infiltrating into the shale at the site.

Mr. Caldwell said they should design their stormwater planning to show that the basins will drain a 2-year storm in 24 hours.

The building is proposed to be served by on-lot sewage and water.

Mr. Caldwell said that a spot speed study was done in 2008, but given current driving conditions, the Township is requesting that they conduct a safe driving speed study to ensure that the speed limit will be appropriate once posted. The Township has agreed to post the speed signs once the speed study is complete. We have also asked them to establish access controls across the front of the current fire house.

The Commission agreed that the plan should not be moved forward as an action item at this time.

## **ACTION ITEM:**

### **GFI Transport Preliminary/Final Land Development Plan #15-305**

**860 Milton Grove Road**

**David Miller/Associates, consultant**

Mr. Caldwell presented the plan. The property is located in the Agricultural Zoning District. He noted that the Commission had been briefed on the plan at their December meeting. The applicants propose to construct a new 7,360 square foot office/shop building, including a drive-through shop area, along with associated parking and loading areas. The 84-acre farm property currently houses multiple uses, including a single-family dwelling, self-storage units, and a trucking business that hauls agricultural related products. The trucking business was approved as a conditional use in 2005. The conditional use decision was amended in 2015 to accommodate the additional structure on the property and relocate the 5-acre area permitted for the trucking business use.

The applicants have now submitted their second submission, including water quality measures that account for the Karst geology instead of using infiltration. They are doing testing for a sewage replacement area, which had previously not been identified.

Mr. Nissley asked about how they are discharging the stormwater onto the adjacent property. Mr. Todd Vaughn of David Miler/Associates was in attendance on behalf of the applicant. He noted that they have added a signature block for the adjacent landowner. Mr. Nissley said he was concerned about erosion on the farmland.

Mr. Vaughn said that he felt the calculations show that the discharge proposed returns the property to existing conditions. The Commission recommended that the downstream property owner should update their conservation plan to account for the additional discharge.

**Ms. Ehrhart made a motion to recommend approval based on the Rettew review letter of December 30, 2015, with the additional recommendation to have the conservation plans of both properties updated to note the change in land use and additional discharge. The motion was seconded by Mr. Nissley. All in favor. The conditions are listed in abbreviated format as follows:**

#### **Modification:**

##### **STORM WATER MANAGEMENT ORDINANCE**

A. *Section 506 – Volume Control (New Request This Submission)*

*The applicant has requested a modification of the requirement to meet the post-development storm water runoff volume control over the site. In the alternative, the applicant is proposing several BMP's which will improve the quality of the water leaving the site and provide for a level of infiltration across the site during smaller storm events. This modification request is based on the justification that a detailed geological analysis for the property was completed and indicated that the site is located in an area of Karst topography.*

*We recommend approval of this modification request based upon the alternative and justification provided, and with the condition that the following are provided: all applicable DEP worksheets regarding the water quality designs; and supporting documentation for the BMP loading ratios.*

#### **Conditions:**

##### **ZONING**

1. *The parking schedule needs to be revised to indicate the correct number of provided spaces. Based on our calculations thirty-seven (37) spaces are being provided. In addition, the parking space schedule needs to be revised to show calculations for both the shop (1 space per 1,000 SF) and office (3 spaces per 1,000 SF) use (§ 520.G.3.q, 520.G.4.c).*
2. *The number of parking spaces under Interior Landscaping Calculations on Sheet 8 needs to be revised from thirty-eight (38) to thirty-seven (37) spaces (§ 520.E.5).*

3. *The industrial and performance standards need to address noise pollution (§ 521).*
4. *The gross floor area for the shop (4,960 SF) and office (2,400 SF) buildings needs to be provided in the Hours and Operations Management Plan. Secondly, the hours and days the proposed use will be open and/or operating needs to be provided in the Hours and Operations Management Plan. Lastly, the Industrial Performance Standards needs to be included in the Hours of Operations Management Plan (§ 603.C.3, 902.C.3.f, 902.C.3.i, 902.C.3.k).*

**SUBDIVISION AND LAND DEVELOPMENT**

1. *The date, final action and conditions of approval by the Board of Supervisors on any approved modification requests needs to be included on the plan (§ 403.2.I, 403.4.J).*
2. *The locations of existing septic systems upon the subject tract need to be included on the plan. Secondly, the location of the percolation holes, deep probe holes, and replacement area easement(s) need to be provided. Lastly, the replacement sewage absorption area note needs to be included on the plan (§ 403.3.B.3, 403.4.M, 403.4.N, 611.C.2, 611.C.3, 611.C.4.b).*
3. *Evidence of review by emergency service providers needs to be provided (§ 403.6.A).*
4. *The landscape plan needs to be signed and sealed by a landscape architect (§ 405.2.K).*
5. *All certificates need to be completed prior to recording the plan (§ 405.3).*
6. *The cost estimate needs to be revised to indicate four (4) DW Endwalls. A revised cost estimate, financial security, and a financial security agreement need to be provided (§ 405.4.E, 405.4.F, 501).*

**STORM WATER MANAGEMENT**

1. *Evidence of approval of the Erosion and Sedimentation Control Plan and NPDES Permit, if applicable, by the Lancaster County Conservation District needs to be provided (§ 405.1).*
2. *The applicant needs to verify that all storm sewer pipe provide a minimum cover of one foot (1') from subgrade to the crown of pipe. By example and not inclusive, the storm pipe run from Inlet 4 to Inlet 6 and the storm pipe run from Headwall 1 to Endwall 2 appear to provide less than the minimum cover of one foot (1') when considering the pipe's thickness (§ 504.4.a.3).*
3. *The operations and maintenance (O&M) agreement needs to be completed. By example and not inclusive, specific inspection requirements that clearly set forth the ownership and maintenance responsibility of all temporary and permanent storm water management facilities and erosion control facilities needs to be provided (§ 601).*
4. *Inlets 6 and 7 appear to be elevated above the proposed grade of the swales. We assume this is intended as additional BMPs but clarification needs to be provided.*
5. *The underdrain in BMP Area 1 will need to be wrapped in stone and geotextile, similar to the system proposed for the basin.*
6. *The plan does not appear to show an underdrain system proposed for BMP Area 2.*
7. *The proposed permanent seeding for BMP Area 1 needs to be provided – it is not shown with a BMP seed mix on the landscape plan.*
8. *Per the geotechnical evaluation, the plan needs to include provisions in the event bedrock is encountered in the basin/BMPs and over-excavation in combination with amended soils must be used to maintain two feet (2') of separation.*
9. *Cleanouts or observation ports for the underdrain systems need to be identified on the plans and details.*

**ACTION ITEM:**

**Keller Tract (Rapho Partners LLC) Request for waiver of subdivision plan processing #15-309  
Mount Joy Road at Little Chiques  
David Miller/Associates, consultant**

Mr. Caldwell presented the plan. The applicants own a 23-acre tract of land known as the Keller Tract, off Mount Joy Road near the Little Chiques Creek. The applicants propose to subdivide a small portion of the tract to separate three existing structures currently used for personal storage from the remainder of the undeveloped tract. The proposed subdivision would result in a 23.05-acre undeveloped tract and a .38-acre tract with no additional improvements planned at this time. The applicants request to waive the subdivision plan process in order to separate a non-conforming lot on which no improvements are proposed from the larger tract in preparation for future development. The applicants have been granted several variances from the Zoning Hearing Board to allow for the creation of a lot which is less than the required lot area and does not meet requirements for rear and side yards or lot coverage. The property is located in the Residential-1 Zoning District, in the Open Space Development Overlay Zone.

Since the property is non-compliant with so many of the Subdivision and Land Development Ordinance, the applicants have requested to waive the planning process. Mr. Caldwell had recommended eight conditions that would have to be met in order for the use to continue. Ms. Ehrhart inquired about how the property would be handled if the current owner no longer wished to use it for personal storage. Mr. Caldwell noted that the Zoning Hearing Board had acknowledged in their decision the applicants' voluntary restriction of the property as a residential accessory use to store and collect vehicles. That would be its only potential use other than being absorbed into the parent tract. At that time, the non-conformities would be removed as part of the development of the adjacent lot, which the applicants anticipate will be developed under the Open Space Overlay requirements.

Mr. Caldwell noted that one condition recommended was that planning for the small lot would be incorporated into the overall development, meeting all design requirements to the greatest extent possible. The property is not currently served by public water and sewer, but public utilities are in close proximity.

Mr. Caldwell said that the Department of Environmental Protection has not allowed the applicants to submit a non-building planning waiver. They want to see planning for at least one EDU on each of the two lots.

**Ms. Ehrhart made a motion to recommend conditional approval of the requested modification, contingent on the comments of the Rettew January 5, 2016 letter and that additional issues discussed by the Commission verbally at this meeting be addressed to the satisfaction of the Township, seconded by Mr. Nissley. All in favor, with Mr. Boyd abstaining. The conditions are listed in abbreviated format as follows:**

**Modification:**

A. *Section 303 – Application and Processing Requirements*

*The applicant has requested a modification of the requirement to process a subdivision plan without complying with the full application and plan processing requirements. In the alternative, the applicant is proposing to submit and record an "Abridged" subdivision plan.*

*We recommend approval of this modification based upon the justification and alternative provided with the condition that the applicant address the following comments to the satisfaction of the Township:*

1. *Lot 1 shall be developed as an open space design development and comply with Section 405 – Open Space Design Overlay (OSDO) Zone of the Rapho Township Zoning Ordinance.*
2. *The final plan for the first phase of the open space plan needs to be recorded within twenty-four (24) months of recording this plan.*
3. *The applicant shall incorporate Lot 2 into the land development plan for Lot 1 to provide utilities (i.e. water, sewer, etc.) and access that complies with the design standards of the Township's Zoning and Subdivision and Land Development Ordinances.*
4. *The applicant needs to provide proof of Right of First Refusal to purchase Lot 2.*
5. *The applicant needs to clarify if Lot 2 is served by public water. Water Supply Note 1 on the Cover Sheet states that no water service exists for this property, however, paragraph 8 under Findings of Fact in the Zoning Hearing Board decision states that it is served by public water.*
6. *The applicant needs to clarify the Site Data information on the Cover Sheet. It's unclear whether the building and lot coverages and density are for Lot 1 or Lot 2. In addition, the number of lots needs to be revised from one (1) to two (2) and the total acreage needs to be broken out and shown on the plans.*
7. *All certificates need to be completed prior to recording the plan (SLDO § 405.3.C, 405.3.E).*
8. *The date, final action and conditions of approval by the Board of Supervisors on any approved modification requests needs to be included on the plan (SLDO § 403.2.I, 403.4.J).*

Mrs. Gibson reported on the Chiques Creek Watershed Alliance's activities. She noted that the model rain garden had been on display at the Pennsylvania State Farm Show.

There was some discussion of the proposed Township building addition. The Commission was concerned about the orientation of the addition as shown on the conceptual sketch that was shown to the Board of

Supervisors in December. The Commission would like to provide input on the proposed building as the process moves forward. Ms. Ehrhart felt the doors facing northwest would create problems in cold weather. Several members also felt that the proposed vestibule was oversized. Mr. Gainer felt that the Township should consider replacing the entire building, rather than doing an addition. Ms. Ehrhart felt this was something that should be considered as well. Mr. Boyd felt planning should be done for additional future expansion.

Mr. Caldwell and Mrs. Gibson updated the group on the dog park and hoop coop project.

There being no further business to come before the Commission, the meeting was adjourned at 8:10 p.m.

Respectfully submitted,  
Sara Gibson  
Township Manager